

The Director  
Central Intelligence Agency

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Washington, D.C. 20505

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30 OCT 1978

Mr. James M. Frey  
Assistant Director for  
Legislative Reference  
Office of Management and Budget  
Washington, D.C. 20503

Dear Mr. Frey:

This is in response to your request for views on enrolled bill S. 2450, a bill which, in addition to extending the assistance programs for community mental health centers (Title I) and for biomedical research (Title II), would establish in Title III a "President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research." Since Titles I and II of the legislation address issues not germane to the mission of this Agency, we defer to the views of those agencies directly affected. We would, however, like to comment on Title III of the enrolled bill.

Title III would establish a Presidential Commission to guarantee that the rights of human subjects of biomedical and behavioral research are protected. Current CIA guidelines require that human subject research be conducted in strict accordance with Department of Health, Education and Welfare regulations and applicable statutes and that each entity conducting research hold an approved assurance from HEW. Thus, existing Agency policy is in accord with the aims and intent of the legislation. I am confident that the informational needs of the Commission can be satisfied consistent with my responsibility to protect intelligence sources and methods. I also note that positive recognition is accorded the need to protect classified information from disclosure, both in the statute and its legislative history.

After review of Title III of the enrolled bill, we find nothing therein which would warrant a negative recommendation to the President; I am, therefore, pleased to have the opportunity to endorse positive Presidential action on the bill. We appreciate the opportunity to conduct a final review of the legislation.

Yours sincerely,

/s/ Stansfield Turner

STANSFIELD TURNER

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Government might be doing in the way of providing assistance to their children.

Mr. Speaker, I urge that the conference report be rejected. All the programs contained in it except the one I described are covered in the continuing resolution, and they would not be touched. Then this matter could be considered in January. Mr. CARTER. Mr. Speaker, I would like to say that we have approximately 1 million pregnancies each year from teenagers. I think that it is both humane and humanitarian, as well as compassionate, for us to take care of them. Furthermore, I feel that since they have a fear of telling their parents of their misdeeds, we should give them birth control and counseling as they need.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered. The SPEAKER. The question is on the conference report.

The question was taken; and the yeas and nays were announced that the yeas appeared to have it.

Mr. BAUMAN. Mr. Speaker, on that demand the yeas and nays.

The yeas and nays were refused.

Mr. BAUMAN. Mr. Speaker, I demand a division.

On a division (demanded by Mr. BAUMAN) there were—yeas 110, nays 27.

So the conference report was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

#### COMMUNITY MENTAL HEALTH CENTERS EXTENSION ACT OF 1978

Mr. ROGERS. Mr. Speaker, I move to amend the rules and pass the Senate bill (S. 2450) to extend the assistance programs for community mental health centers and for biomedical research, and for other purposes, as amended.

The Clerk read as follows:

S. 2450

Enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

#### COMMUNITY MENTAL HEALTH CENTERS EXTENSION

SEC. 101. (a) This title may be cited as the Community Mental Health Centers Extension Act of 1978.

(b) Whenever in this title an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Mental Retardation and Community Mental Health Centers Construction Act of 1963.

SEC. 102. (a) Section 202(d) is amended by striking "and" after "1977," and (2) inserting after "1978" the following: ", and

\$1,930,000 for the fiscal year ending September 30, 1979."

(c) Section 203(d)(2) is amended by (1) striking "and" after "1977," and (2) inserting after "1978" the following: ", and \$38,890,000 for the fiscal year ending September 30, 1979."

(d) Section 204(c) is amended by (1) striking "and" after "1977," and (2) inserting after "1978" the following: ", and \$15,000,000 for the fiscal year ending September 30, 1979."

(e) Section 205(c) is amended by (1) striking "and" after "1977," and (2) inserting after "1978" the following: ", and \$25,000,000 for the fiscal year ending September 30, 1979."

(f) Section 213 is amended by (1) striking "and" after "1977," and inserting after "1978" the following: ", and \$13,500,000 for the fiscal year ending September 30, 1979."

(g) Section 228 is amended by (1) striking "and" after "1977," and (2) inserting after "1978" the following: ", and \$2,500,000 for the fiscal year ending September 30, 1979."

(h) Section 231(d) is amended by (1) striking "and" after "1977," and (2) inserting after "1978" the following: ", and \$7,880,000 for the fiscal year ending September 30, 1979."

SEC. 103. (a) Section 203(a)(1)(A)(i) is amended by striking "three grants" and inserting in lieu thereof "four grants."

(b) Section 206(c) is amended by adding the following paragraph at the end thereof:

"(7) If a grant made under this part is renewed, unexpended funds may be carried forward to the subsequent grant period without being deducted from the subsequent grant award."

(c) Section 225 is amended by inserting after "under this part" the following: "or part of this title as in effect before enactment of the Community Mental Health Centers Amendments of 1975."

#### TITLE II—BIOMEDICAL RESEARCH EXTENSION

SEC. 201. (a) This title may be cited as the "Biomedical Research Extension Act of 1978."

(b) Whenever in this title an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Public Health Service Act.

SEC. 202. (a) Section 301(b) is amended by inserting "research chemicals, and research animals" after "Service."

(b) Section 321(a) is amended by striking "and tobacco."

SEC. 203. (a) The first sentence of section 383(a) is amended by striking "the President, by and with the advice and consent of the Senate" and inserting in lieu thereof "the Secretary."

(b) Section 390(c) is amended by (1) striking "and" after "1975," and (2) inserting after "1978" the following: ", \$15,000,000 for the fiscal year ending September 30, 1979, \$17,000,000 for the fiscal year ending September 30, 1980, and \$20,000,000 for the fiscal year ending September 30, 1981."

SEC. 204. (a) Section 408(a) is amended by inserting "basic or" before "clinical research."

(b) The first sentence of section 408(b) is amended by inserting "basic or" before "clinical research."

SEC. 205. (a) Section 409(a) is amended by (1) striking "and" after "1977," and (2) inserting after "1978" the following: ", and \$85,000,000 for the fiscal year ending September 30, 1978."

(b) Section 410C is amended by (1) striking "and" after "1977;" and (2) inserting after "1978" the following: ", and \$925,000,000 for the fiscal year ending September 30, 1979."

SEC. 206. (a) Section 410(a)(1) is amended by inserting after "qualifications" the following: ". Such experts or consultants shall be paid or reimbursed for their expenses associated with traveling to and from their assignment location in accordance with sections 5724, 5724a(a)(1), 5724a(a)(3), and 5726(c) of title 5, United States Code."

(b) Section 413(c)(1) is amended by inserting after "qualifications" the following: ". Such experts or consultants shall be paid or reimbursed for their expenses associated with traveling to and from their assignment location in accordance with sections 5724, 5724a(a)(1), 5724a(a)(3), and 5726(c) of title 5, United States Code."

SEC. 207. (a) Section 414(b) is amended by (1) striking "and" after "1977," and (2) inserting after "1978" the following: ", and \$40,000,000 for the fiscal year ending September 30, 1979."

(b) Section 419B is amended by (1) striking "and" after "1977," and (2) inserting after "1978" the following: ", and \$470,000,000 for the fiscal year ending September 30, 1979."

SEC. 208. The last sentence of section 438 (2) is deleted in its entirety.

SEC. 209. (a) Section 472(b)(2) is amended by striking "subsection (a)" and inserting in lieu thereof "subsection a)(1)(B)".

(b) Section 472(b)(5) is amended by inserting "and cost of living increase allowances" after "dependency allowances".

(c) Section 472(c)(1)(B) is amended by (1) inserting "or" after "C type" in class (1), (2) striking clause (II) in its entirety, and (3) redesignating clause (III) as clause (II).

(d) Section 472(c)(2)(B) is amended by striking "twenty months" and inserting in lieu thereof "twelve months".

(e) Section 472(c)(4)(A) is amended by striking

"A = 6(1-1)"

(9)

and inserting in lieu thereof

"A = 6(1-1)"

(9)

(f) Section 472(d) is amended by (1) striking "and" after "1977" in the first sentence thereof, (2) inserting after "1978" in the first sentence thereof the following: ", \$175,000,000 for the fiscal year ending September 30, 1979, \$180,000,000 for the fiscal year ending September 30, 1980, and \$185,000,000 for the fiscal year ending September 30, 1981", (3) striking "15" in the second sentence thereof and inserting in lieu thereof "15", and (4) inserting before the period at the end thereof the following: "and not less than 50 per centum shall be made available for payments under National Research Service Awards provided by the Secretary under subsection (a)(1)(2)".

SEC. 210. Title IV is amended by adding at the end thereof the following new section:

#### "EXPERTS AND CONSULTANTS"

"SEC. 477. In the fiscal year ending September 30, 1979, the Director of the National Institutes of Health may obtain (in accordance with section 109 of title 5, United States Code, but without regard to the limitation in such section on the number of days or the period of service) the services of not more than one hundred experts and consultants who have scientific or professional qualifications for the National Institutes of Health and for each of the research institutes (other than the National Center Institute and the National Heart, Lung, and Blood Institute).

**OFFICE OF MANAGEMENT AND BUDGET**

**Washington, D. C.**

10/24/78

OLC #78-3107

**ENROLLED BILL REQUEST**

In accordance with OMB Circular A-19, your views and recommendations are requested on the following enrolled bills (facsimiles attached):

S 2450 — Congressional Record, 10/14/78  
page H 13563

Within TWO WORKING DAYS after receipt of this request, your reply (original and one) should be delivered VIA SPECIAL MESSENGER to Mrs. Wilder, Room 7201 New Executive Office Building.

Your cooperation will be appreciated.

James M. Frey  
Assistant Director for  
Legislative Reference

**ATTENTION:**

CIA